

### **REMARKS**

Claims 8-10, 14-22 and 31-41 are pending in this application. Amendment to claims 9 and 32 and entry of these remarks is requested to place the claims in condition for allowance. Claims 9-10, 14-22, 32-33 and 39-41 stand rejected under 35 U.S.C. §112, first paragraph. Claims 8-10, 14-16, 20-21, 31-35 and 39-41 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Okumura (JP 06-299312).

#### **Remarks Directed to the Rejection of Claims 9-10, 14-22, 32-33 and 39-41 under 35 U.S.C. §112, First Paragraph**

Claims 9 and 32 have been amended such that the upper limit is 49% aluminum by weight. As such, these claims draw support from the specification (page 9, lines 9-14). As such, Applicant requests that the rejection of claims 9-10, 14-22, 32-33 and 39-41 under 35 U.S.C. §112, first paragraph, be withdrawn.

#### **Remarks Directed to the Rejection of Claims 8-10, 14-16, 20-21, 31-35 and 39-41 under 35 U.S.C. §103(a) as Being Unpatentable over Okumura (JP 06-299312)**

Applicant incorporates by reference the remarks made of record in all of the previous amendments, in particular the amendments filed on March 9, 2007 and June 27, 2007. These arguments can be summarized by stating that the Applicant has clearly rebutted the presumption of obviousness based on a claimed invention that falls within Okumura (JP 06-299312) by showing that Okumura teaches away from the claimed invention and that unexpected results have been shown relative to this prior art. Of particular interest, Okumura teaches that when the “growth of a Fe-aluminum intermetallic-compound layer becomes excessive, it becomes impossible to carry out one micrometer of the thickness, and both the workability of plating steel materials is degraded remarkably in this way.” [0012] (emphasis added). Applicant therefore feels compelled to ask the following question: “If the prior art teaches that it is *impossible* to

successfully grow an Fe-aluminum intermetallic compound layer greater than one micrometer of thickness without degrading remarkably the workability of the plating steel materials, and *this teaching is not a teaching away* from the claimed invention, then what is?” If Examiner continues to maintain that the claimed invention is obvious with respect to Okumura, Applicant requests that this reasoning be provided with greater clarity.

**Summary**

Claims 8-10, 14-22 and 31-41 are submitted for consideration. Each claim is believed to be in allowable form and directed to patentable subject matter. Reconsideration and withdrawal of the outstanding rejections and the passing of this application to issuance are solicited. Should the Examiner find to the contrary, he is respectfully requested to contact the undersigned attorney in charge of this application to resolve any remaining issues.

Dated: October 20, 2007

Respectfully submitted,

Electronic Signature: /Avery N. Goldstein/

Avery N. Goldstein, Ph.D.

Registration No.: 39,204

GIFFORD, KRASS, SPRINKLE, ANDERSON  
& CITKOWSKI, P.C.

2701 Troy Center Drive, Suite 330

Post Office Box 7021

Troy, Michigan 48007-7021

(248) 647-6000

(248) 647-5210 (Fax)

Attorney for Applicant